

REMARKS

Applicants would like to thank the Examiner for allowance of claims 8-20 and positive indications concerning claims 3-9, 12, 13, 17 and 23-29. Applicants would also like to thank the Examiner for his detailed comments on the claims and specification (paragraphs 1-4 of the detailed action). Amendments have been made to the claims and specification in response to each of these points.

However, applicants respectfully disagree with the Examiner's rejection of the remaining claims over the prior art. Accordingly, no substantive amendments have been made to the claims, and reconsideration is requested.

The Examiner rejects claims 10-11 under 35 USC §102(e) as being anticipated by Iwata (US 6,026,077) or Huang (US 6,301,244). However, Iwata relates to a failure restoration system (see title, abstract, background and summary sections of the invention in general). The Examiner will appreciate that this is a different field of endeavor to the present invention. Moreover, Iwata fails to disclose "a series of tunnels" or that the tunnels are selected to provide "a path having a QoS guarantee" as required by the claims. In Iwata, information required to establish an alternate path on failure restoration is determined when a main path is set up. However, neither path is defined in terms of QoS capable tunnels. Furthermore, there is no disclosure of "offering a number of candidate central stages to the destination edge and allowing the destination edge to select a complete path" as required by the claims. Perhaps the Examiner would more clearly indicate where in Iwata this feature is disclosed if this rejection is maintained.

Referring to Huang, the same observations apply. Huang discloses a route selection algorithm which takes multiple QoS measurements into account. However, this is where the similarity with the present invention ends. Selecting a route based on QoS metrics is one thing, but routing across QoS guaranteed tunnels (which are effectively connections established across a connectionless

network) would be understood by the skilled person as an entirely different feature. Furthermore, as above, there is no disclosure of "offering a number of candidate central stages to the destination edge and allowing the destination edge to select a complete path". It would be appreciated if the Examiner would indicate which passages in Huang he considers disclose this feature, if the rejection is maintained.

In view of the above, the Examiner's rejection of claim 14 under 35 USC 1§02(e) as being anticipated by Casey (US 6,205,488) is moot.

The Examiner also rejects claims 1 and 2 under 35 USC §103(a) as being unpatentable over Ohba (US 6,501,754) in view of lwata (US 6,026,077). Ohba describes a path loop detection method for use in label switched paths and, in particular, for use in the nodes over which label switched paths are established. This does not disclose "a method of routing an information packet over a label switched path". All that is disclosed by Ohba is that, when setting up a label switched path, a label switching node of the network detects whether the label switched path includes a loop. This is not a method of routing. Furthermore, although lwata discloses a hierarchy of first and second levels of routers (note, not third levels of routers), lwata does not disclose a routing method but a failure restoration method as previously discussed. Furthermore, motivation for the skilled person to combine the label switched path loop detection method of Ohba with the failure restoration system of lwata is absent. Thus, the Examiner's rejection under 35 USC §103(a) is, it is submitted, legally unsubstantiated.

The Examiner further rejects claim 21 under 35 USC §103(a) as being unpatentable over Ohba in view of Huang: For the reasons given above, it is submitted that Ohba does not disclose a method for determining a label switched path but rather a method for detecting loops in label switched paths. Furthermore, and also as discussed above, although Huang discloses a routing algorithm which takes into account QoS metrics, it does not disclose routing over

"quality of service capable tunnels", as required by the claim. Moreover, there is no disclosure in either Ohba or Huang of "offering a plurality of candidate central stages to the destination edge and allowing the destination edge to select a complete path across the network". Furthermore, motivation to combine the loop detection method of Ohba with the routing algorithm of Huang is absent. Thus, the Examiner's rejection under 35 USC §103(a) is unwarranted.

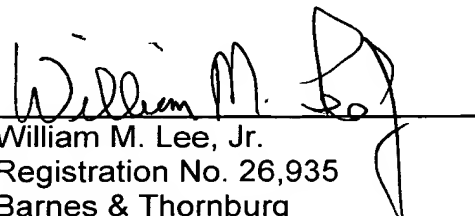
The Examiner's rejection of claim 22 under 35 USC §103(a) is moot in view of the above.

The Examiner's rejection of claims 15 and 16 under 35 USC §103(a) as being unpatentable over Casey (US 6,205,488) in view of Brueckheimer (US 6,574,224) and Huang is also moot in view of the above.

Applicants believe that the claims are patentably distinct over the prior art references cited by the Examiner, and since all other objections have been met, look forward to receiving a Notice of Allowance in due course.

January 22, 2004

Respectfully submitted,


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